

Appln. No.: 10/038,439
Amdmt dated 03 01 2004 (Paper No. 9)
Reply to Communication mailed 02 02 2004

ARGUMENTS

In the Claims, claims 1-16 are pending. Claims 4 and 14 have been currently amended. Applicants submit the foregoing amendments and following remarks. Re-examination and favorable reconsideration are respectfully requested.

Information Disclosure Statement

Applicants hereby concurrently file an Information Disclosure Statement.

Claim 4

Claim 4 was amended to correct a minor informality in the form of a typographical error.

Rejection Under 35 U.S.C. § 112, second paragraph

The Office rejected claim 14 under 35 U.S.C. § 112, second paragraph as being indefinite for failing to point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants hereby amend claim 14 as set forth above. Applicants respectfully request reconsideration and withdrawal of this rejection.

Rejection Under 35 U.S.C. § 102

The Office further rejected claim 1 under 35 USC § 102 as being anticipated by the Rao reference (U.S. Patent No. 5,638,600). Applicants respectfully submit that the step of leveling is not shown by Rao. That is, in Rao, either the final step is grinding per column 2, lines 5-10 or operating the pump to abrade per column 2, lines 28 30. The intermediate step of leveling, prior to assembly and finalizing the coat, is not disclosed. Accordingly, claim 1 is submitted to be in condition for allowance. Claims 2-12, dependent from claim 1, based on the same argument are further submitted to be in condition for allowance.

Rejection Under 35 U.S.C. § 103

In addition, claims 13-16 were rejected under 35 USC § 103 in view of the Rao reference. Applicants respectfully disagree with this rejection. In Rao, radial discharge is shown

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such that an outlet casing is not used and there is no discharge end, as provided in Applicants invention, to be coated. In Applicants invention the discharge end, as provided in the specification is a vertical wall against which the refrigerant is compressed. Accordingly, Applicants submit that claims 13-16 are in condition for allowance.

Please charge any required fee or credit overpayment to Deposit Account 03-0835.

Should the Examiner believe that a telephone or personal interview may facilitate resolution of any matters in this case, Applicants' attorney may be contacted by telephone at the number provided below.

Respectfully submitted,
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Resent
10/13/04

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